

### **REMARKS**

Without acquiescing to the propriety of the rejections in the Office Action dated April 12, 2011, claim 1 has been amended. Entry of these amendments, reconsideration of the present patent application and allowance of all claims pending herein are respectfully requested in view of the remarks below. Claims 1-10 are now pending.

#### **Information Disclosure Statement:**

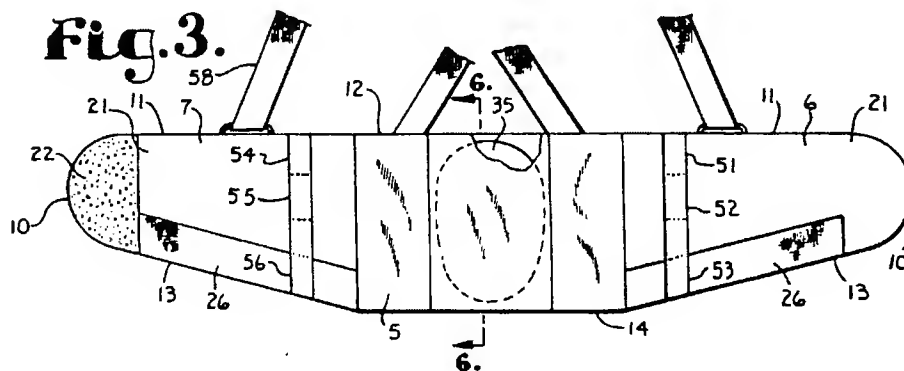
The Office Action indicates that several references were not considered as English abstract translations were not provided. Applicant has provided the documents which were available. No further submission of these references is planned. Applicant assumes that the Office did not consider these documents relevant.

#### **Claim Rejections – 35 U.S.C. § 102:**

Claims 1-3 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,188,586 to Castel et al. (hereinafter “Castel”).

Amended claim 1 of the present application recites, *inter alia*, a support fabric which includes a first woven layer and a second woven layer joined to each other by stitch bonding along a length of the support fabric. A plurality of pocket areas is configured to receive one or more of stiffening means. A plurality of non-pocket areas is located between the pocket areas. The first woven layer and the second woven layer are continuously joined to each other by stitch bonding for an entire length of each non-pocket area of the plurality of the non-pocket areas. The first woven layer and the second woven layer are separated from each other in the plurality of pocket areas such that interior surfaces of the first woven layer and the second woven layer bound a cavity for receiving the stiffening means.

Castel discloses a back support belt which includes a pocket for receiving a pad as depicted in FIG. 3 (reproduced below) and lines 58-69 of column 4, for example.



*U.S. Patent No. 5,188,586 to Castel et al.*

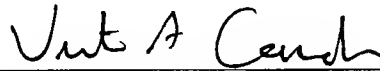
As described in column 5, flexible stays are secured to a back panel in stay receiving sleeves. However, there is no disclosure in this reference of a first woven layer and a second woven layer which are joined to each other by stitch bonding in non-pocket areas located between pocket areas wherein interior surfaces of the first woven layer and the second woven layer bound a pocket for receiving stiffening means. Instead, the cited reference discloses pockets and sleeves for receiving stays, without any discussion of the joining of the described layers of woven elastic material, and there is no disclosure of first and second woven layers which are connected to each other in areas between pockets and having interior surfaces which bound such pockets. Accordingly, because all the features, (e.g., a first woven layer and a second woven layer continuously joined to each other by stitch bonding for an entire length of each non-pocket area, and the first woven layer and the second woven layer separated from each other in a plurality of pocket areas such that interior surfaces of the first woven area and the second woven layer bound a cavity for receiving stiffening means) of claim 1 of the present application are not identically disclosed by Castel, this claim cannot be anticipated thereby. The dependent claims are believed not to be anticipated for the same reasons and for their own additional features.

**CONCLUSION**

It is believed that the application is in condition for allowance, and such action is respectfully requested.

If a telephone conference would be of assistance in advancing prosecution of the subject application, the Examiner is invited to telephone the undersigned attorney at the telephone number provided.

*Respectfully submitted,*



---

Victor A. Cardona, Esq.  
Attorney for Applicant(s)  
Registration No. 44,589

Dated: July 12, 2011

**HESLIN ROTHENBERG FARLEY & MESITI, P.C.**

5 Columbia Circle

Albany, New York 12203

Telephone: (518) 452-5600

Facsimile: (518) 452-5579